

APPEAL NO. 041631
FILED AUGUST 26, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 14, 2004. The hearing officer resolved the disputed issue by deciding that the respondent's (claimant) compensable brain and skull injury of _____, extends to and includes a sleep disorder. The appellant (carrier) appeals, arguing that the extent-of-injury determination is against the great weight of the evidence presented. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

The hearing officer did not err in making the challenged extent-of-injury determination. That issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence, and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer's determinations that the compensable injury includes a sleep disorder, is supported by medical evidence from Dr. H and by the claimant's testimony. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse it on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **HIGHLANDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CHARLIE MILLER, REGIONAL CLAIMS ADJUSTER
10200 RICHMOND AVENUE, SUITE 175
HOUSTON, TEXAS 77042.**

Margaret L. Turner
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge